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SUBJECT: TUNISIA'S SECOND CHAMBER: UPDATE AND OVERVIEW

REF: A. 05 TUNIS 2206
[1](#)B. 05 TUNIS 1455

Classified By: AMBASSADOR WILLIAM HUDSON FOR REASONS 1.4 (b) AND (d)

[1](#)1. (C) SUMMARY: The Chamber of Advisors, Tunisia's second parliamentary body, was created during a 2002 constitutional change and began work in August 2005. The Chamber's 112 members from across the country are responsible for reviewing all draft legislation, in cooperation with Tunisia's existing Chamber of Deputies. During a March 28 meeting with Ambassador, Chamber of Advisors President Abdallah Kallel gave an overview of the legislative process. While President Ben Ali highlights the Chamber as a new democratic institution and another step forward in Tunisia's reform plan, few Tunisians we speak with, including even one of the Advisors, consider the new Chamber to be anything more than a rubber stamp. END SUMMARY.

[1](#)2. (U) The Chamber of Advisors was created by a 2002 amendment to the Tunisian constitution, proposed by President Ben Ali in 2001 and approved by national referendum. The second legislative body, it joined the existing Chamber of Deputies and has two-thirds the membership of that Chamber. According to the constitution, candidates for the Chamber of Advisors must have been born of a Tunisian father or mother, be at least forty years old and a legal voter. (NOTE: Voters must be Tunisian nationals for at least five years, over twenty years old and meet other electoral law requirements. END NOTE.) Advisors serve six years, and half of the incumbents will face election or appointment every three years.

[1](#)3. (C) The 112 current members include elected and appointed Advisors, as outlined by the constitution. President Ben Ali appointed 41 officials, among them opposition party members, religious leaders and other key members of society, including those with cultural, business, and educational experience. 43 officials, one or two from each of Tunisia's twenty-four governorates, depending on population, were elected in July 2005 by over 4000 local government officials, including municipal counselors, deputies and mayors, as well as the 189 members of the Chamber of Deputies (Ref B). The other 42 seats are equally divided between the Tunisian Union of Industry, Commerce and Artisans (UTICA), the National Farmer and Fishermen's Union (UNAP), and the General Union of Tunisian Workers (UGTT). The UGTT refused to present its list of twenty-four candidates for its fourteen seats, noting that the process was not democratic or independent, as even union candidates would have to be approved by the same government officials who choose the elected members (reftels). During the March 28 meeting, the Ambassador asked Kallel how the UGTT's decision not to participate impacted the Chamber. Kallel appeared unconcerned with the absence of 14 Advisors, saying the UGTT's decision not to field candidates was an "internal problem" and that their vacant seats "do not harm the Chamber's work, since there is a

quorum without them."

¶4. (SBU) The constitution states that the Chamber's annual session runs from October to July, although exceptional sessions may be called by the president or a majority of Deputies. According to Kallel, new laws are simultaneously submitted to the Chamber of Advisors and the Chamber of Deputies for review. The Chamber of Advisors has seven committees responsible for reviewing draft legislation, including those responsible for political affairs and external relations, financial matters, social and health issues, and infrastructure. Each committee is comprised of ten Advisors who vote on the draft laws, however, other Advisors are welcome to participate in meetings and raise questions. Kallel said that official and private experts could be called to present further information or answer committee members' questions.

¶5. (SBU) According to Kallel, if the Chamber of Deputies approves a draft law, Advisors have fifteen days to take action. If both chambers agree, the law is forwarded to the President for approval. If the chambers disagree, the law is referred to the Inter-Parliamentary Committee, which consists of six Deputies and six Advisors. If Deputies agree to the Advisors' position, the law is forwarded by the Chamber of Advisors. Kallel noted that if the Deputies do not agree, they have priority over the Chamber of Advisors and send the law to the President, with a memorandum from the Chamber of Advisors attached explaining the points of disagreement. (NOTE: Although the chambers vote on the annual GOT budget, the constitution clearly states that neither the Chamber of Deputies or Advisors may recommend any law or policy that will incur additional state expenditures. END NOTE.)

¶6. (U) Local press coverage of the Chamber of Advisors' activities has been extensive, beginning with the July elections and inauguration of the Chambers facilities, and continuing through the opening sessions. Most press accounts were laudatory, calling the Chamber of Advisors "a new democratic institution that was the result of successful government reforms" and the related elections "another important political step towards the reinforcement of the democratic process" (Arabic daily newspaper ash-Shourouq). A columnist known to be a GOT supporter denounced the UGTT boycott as "a violation of the constitution," while a loyal-opposition party leader said the Chamber "would reinforce the rule of law and democratic values."

¶7. (C) However, few Tunisians we speak with seem to agree; this extends even to one of the Advisors. Hayet Laouani, a local shipping magnate who represents UTICA in the Chamber, told Poloff that, while she hopes the body will be an important democratic institution in "15 or 20 years," today's Chamber is generally ineffective. Laouani highlighted the Chamber of Advisors' deference to the Chamber of Deputies, noting that once deputies approve a law, there is little role for advisors. Most deputies and advisors have little legislative experience, said Laouani, and parliamentary debates are dominated by pro-government members that speak at length about Tunisia's achievements. Laouani added that neither chamber can introduce new legislation, and that in fact some laws, like those proposed during President Ben Ali's March 20 Independence Day speech, are implemented before either body reviews the legislation.

¶8. (C) COMMENT: The second chamber was mandated in Tunisia's 2002 constitutional referendum, which opposition groups contend included a variety of ostensible reform measures designed to obscure the real point of the amendment: to allow President Ben Ali to remain in office until 2014. Kallel, like many Tunisian officials, acknowledged that Tunisian democracy moves more slowly than "our American and European friends would like," but argues that it is a culture that needs time to develop. Meanwhile, few Tunisians - even members like Laouani - consider the Chamber of Advisors as a body that presents any check on the absolute power of the president. Rather, it is appears to be another stale addition to Tunisia's democratic facade. END COMMENT.

